IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE NO.3 OF 2006
IN
EXECUTION APPLICATION NO.460 OF 2005
IN
ARBITRATION NO.241 OF 2001

L & T Finance Limited Plaintiffs

versus

Siddhi Constructions Ltd.
and another Defendants

Ms.Shakuntala Joshi for plaintiffs.

Mr.Ravindra Parekh for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 3rd April 2006

PC :

1. Shri Parekh appearing for Judgement Debtor prays for time to file an affidavit. Request refused.

2. All that Shri Parekh would contend before me today while seeking adjournment is that he wishes to place on record that the Judgement Debtors have paid to the Court Receiver certain amounts and therefore, the decree should be drawn up

accordingly. In other words, appropriate adjustments should be made while computing the decretal dues. Ms.Joshi appearing for Decree Holders states that such payments have indeed been made and in execution application itself due credit has been given in that behalf.

3. In my view, this is not a ground for adjourning an application under Order XXI, Rule 22 of the CPC.. More so, when I see no prejudice being caused to the Judgement Debtor. Notice, is, therefore, made absolute. Office to give appropriate adjustments in case any further payments are made and the decretal dues should be computed accordingly. Certified copy expedited.

(S.C.DHARMADHIKARI, J.)